

FILED

12 OCT -5 PM 2:07

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: _____

1 Christopher H. Knauf, State Bar No. 185180
2 KNAUF ASSOCIATES
3 2001 Wilshire Blvd, Suite 510
4 Santa Monica, California 90403
5 Tel: (310) 829-4250 Fax: (310) 622-7263
6 Email: ck@goodlaw.biz

7 Attorney for Plaintiff Christian Saurin

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 CHRISTIAN SAURIN, an individual,

Case No.: 12-08586

ODW (SHX)

12
13 Plaintiff,

14 v.

15 UNIVERSAL CITY STUDIOS LLC,
16 a Delaware corporation; and DOES 1 - 10,
17 inclusive,

18 Defendants.
19
20
21
22
23
24
25
26
27
28

**COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF**

1. Americans with Disabilities Act
2. Unruh Civil Rights Act
3. Blind and Disabled Persons Act
4. Unfair Competition Act
5. Negligence and Negligence Per Se

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

1. Plaintiff brings his claims against Defendants for their violations of Title III of the Americans with Disabilities Act (42 U.S.C. § 12181 *et seq.*), the Unruh Civil Rights Act (Cal. Civil Code § 51 *et seq.*), the Blind and Disabled Persons Act (Cal. Civil Code § 54 *et seq.*), the Unfair Competition Act (Cal. Bus. & Prof. Code § 17200 *et seq.*), and common law negligence and negligence per se.

JURISDICTION AND VENUE

3. As this action arises in part under the Americans with Disabilities Act, this Court has jurisdiction over Plaintiff's claims pursuant to 28 U.S.C. §§ 1331 and 1343. This Court has supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367(a), and has jurisdiction over the claims for declaratory relief pursuant to 28 U.S.C. §§ 2201 and 2202.

PARTIES

5. At all relevant times, Plaintiff Christian Saurin has had a physical impairment that substantially limits his mobility, such that he often requires use of a cane to walk. As such, Mr. Saurin is and has been a person with a disability within the meaning of the Americans with Disabilities Act (“ADA”) and California Government Code section 12926. Mr. Saurin resides at all times has resided in the County of Los Angeles.

6. Defendant Universal City Studios LLC, a Delaware corporation (“Universal”), at all relevant times has owned, operated, leased, and/or leased to the amusement park known as Universal Studios (also known as Universal Studios Hollywood), located in the Universal City area of the City of Los Angeles. Universal’s amusement park is a place of public accommodation within the meaning of the ADA and a business establishment under California law.

7. The identities of Defendants Does 1 through 10 are unknown at this time. Plaintiff will amend this Complaint when their identities become known.

8. At all relevant times, all Defendants and each of them, were acting in concert with each other and were the agent, principal, subsidiary, representative, alter ego, officer, employer, employee, manager, director, shareholder, partner, co-conspirator, aider and abettor, and fiduciary in proximately causing the injuries and damages alleged herein.

9. At all relevant times, all Defendants and each of them were legally responsible to Plaintiff for each of their co-defendants’ wrongs, acts, and omissions alleged herein as though they had each committed each act themselves, and at all times authorized, directed, and ratified the acts and omissions of each remaining defendant.

///

///

1 **FACTS COMMON TO ALL CLAIMS FOR RELIEF**

2 10. For at least several years now, Defendants have offered and continue
3 to offer a “Halloween Horror Nights” attraction at Universal Studios during the
4 weeks leading up to Halloween. The attraction is held in the dead of night (after
5 normal park hours) on the premises of Universal Studios amusement park or
6 adjacent thereto. Patrons are required to purchase tickets to attend Horror Nights
7 separate from any other Universal Studios ticket or attraction. Once admitted to
8 the park for Horror Nights, patrons travel the grounds, explore various mazes and
9 haunted houses, and enjoy Defendants’ Halloween-related offerings. Horror
10 Nights ends at 2:00 a.m. each evening it is offered.

11 11. Plaintiff is informed, believes, and based thereon alleges that, during
12 the daytime, Defendants provide a shuttle service between the Lankershim
13 Boulevard public transit stop and the Universal Studios park entrance, which lies
14 at the top of a very long and steep hill. On the evening relevant to this action,
15 Defendants did not offer the same shuttle service for their Halloween Horror
16 Nights patrons.

17 12. On October 8, 2010, Mr. Saurin and his friend attended Defendants’
18 Horror Nights by using public transportation. After arriving at the bus stop on
19 Lankershim Boulevard, Mr. Saurin and his friend walked to the Universal Studios
20 shuttle depot nearby and waited for Defendants’ shuttle to the park entrance. The
21 shuttle never arrived. Mr. Saurin was ultimately informed by two of Defendants’
22 employees that the shuttle did not operate during Horror Nights.

23 13. Defendants’ employees suggested Mr. Saurin call the telephone
24 numbers appearing on a sign at the depot for assistance to the park’s entrance.
25 One phone number did not provide any help or information, and the other was for
26 a private taxi company.
27
28

1 14. After exhausting the options provided by Defendants, Mr. Saurin and
2 his guest had little choice but to climb the hill to the amusement park entrance,
3 which was extremely steep and a long distance. Mr. Saurin struggled to reach the
4 top of the hill, and doing so caused him significant strain and pain, and also took a
5 significant amount of time that he would have spent enjoying Horror Nights.

6 15. At the end of the evening, which was early the next morning, Mr.
7 Saurin and his friend again had to walk back down the hill, when it was very late,
8 the lighting was poor, and there was no shuttle service once again.

9 16. The walk up and down the hill caused Mr. Saurin significant physical
10 pain, for which he received medical attention.

11 17. Plaintiff is informed, believes, and based thereon alleges that his
12 individual experience, in which he was denied full and equal access and
13 enjoyment of Defendants' amusement park, is representative of Defendants'
14 overall failure to maintain adequate written policies and procedures and adequate
15 training of employees as to the rights and needs of customers with disabilities,
16 specifically as to auxiliary transportation service for Halloween Horror Nights.

17 18. Mr. Saurin would like to continue attending Defendants' Horror
18 Nights attraction each year. The pain he experienced on October 8, 2010 causes
19 Mr. Saurin emotional distress when considering whether to attend.

20
21 **FIRST CLAIM FOR RELIEF**
22 **TITLE III OF THE AMERICANS WITH DISABILITIES ACT**
23 **42 U.S.C. § 12181 *et seq.***
24 **By Plaintiff Against All Defendants**

25 19. Plaintiff re-alleges and incorporates by reference all previous
26 paragraphs.

27 20. Congress enacted the Americans with Disabilities Act upon finding,
28 among other things, that "society has tended to isolate and segregate individuals
with disabilities" and that such forms of discrimination continue to be a "serious

1 and pervasive social problem.” 42 U.S.C. §12101(a)(2).

2 21. In response to these findings, Congress explicitly stated that the
3 purpose of the ADA is to provide “a clear and comprehensive national mandate
4 for the elimination of discrimination against individuals with disabilities” and
5 “clear, strong, consistent, enforceable standards addressing discrimination against
6 individuals with disabilities.” 42 U.S.C. §12101(b)(1)-(2).

7 22. Title III of the ADA provides in pertinent part: “No individual shall
8 be discriminated against on the basis of disability in the full and equal enjoyment
9 of the goods, services, facilities, privileges, advantages, or accommodations of
10 any place of public accommodation by any person who owns . . . or operates a
11 place of public accommodation.” 42 U.S.C. §12182(a).

12 23. The ADA further provides that “it shall be discriminatory to afford an
13 individual or class of individuals, on the basis of a disability or disabilities of such
14 individual or class, directly, or through contractual, licensing, or other
15 arrangements with the opportunity to participate in or benefit from a good,
16 service, facility, privilege, advantage, or accommodation that is not equal to that
17 afforded to other individuals.” 42 U.S.C. § 12182(b)(1)(A)(ii).

18 24. Discrimination under the ADA includes “a failure to take such steps
19 as may be necessary to ensure that no individual with a disability is excluded,
20 denied services, segregated or otherwise treated differently than other individuals
21 because of the absence of auxiliary aids and services . . .” 42 U.S.C. §
22 12182(b)(2)(A)(iii).

23 25. The ADA further prohibits “a failure to make reasonable modification
24 in policies, practices, or procedures, when such modifications are necessary to
25 afford such goods, services, facilities, privileged, advantages, or accommodations
26 to individuals with disabilities...” 42 U.S.C. § 12182(b)(2)(A)(ii).

27 26. The federal regulations implementing Title III of the ADA provide:
28

1 “A public accommodation shall maintain in operable working condition those
2 features of facilities and equipment that are required to be readily accessible to and
3 usable by persons with disabilities by the Act or this part.” 28 C.F.R. § 36.211
4 (1999).

5 27. At all relevant times, Mr. Saurin has been an individual with a
6 disability within the meaning of the ADA.

7 28. Defendants’ amusement park is a “place of public accommodation”
8 within the meaning of the ADA.

9 29. By failing to provide accessible transportation or accessible auxiliary
10 transportation to the amusement park’s entrance, Defendants have violated Title
11 III of the ADA as to Plaintiff.

12 30. Pursuant to 42 U.S.C. § 12188(a), Plaintiff is entitled to declaratory
13 and injunctive relief, and to recover reasonable attorneys’ fees and costs incurred
14 in bringing this action.

15 **SECOND CLAIM FOR RELIEF**
16 **UNRUH CIVIL RIGHTS ACT**
17 **California Civil Code § 51 *et seq.***
18 **By Plaintiff Against All Defendants**

19 31. Plaintiff re-alleges and incorporates by reference all previous
20 paragraphs.

21 32. California’s Unruh Civil Rights Act provides: “All persons within the
22 jurisdiction of this state are free and equal, and no matter what their . . . disability
23 [or] medical condition, are entitled to the full and equal accommodations,
24 advantages, facilities, privileges, or services in all business establishments of
25 every kind whatsoever.” Cal. Civ. Code § 51(b).

26 33. The Unruh Act provides that violations of the Americans with
27 Disabilities Act also constitute violations of the Unruh Act. Cal. Civ. Code
28 § 51(f). As such, Plaintiffs’ first claim for relief is expressly incorporated as a

1 violation of the Unruh Act.

2 34. Mr. Saurin is a person with a disability within the meaning of the
3 Unruh Act.

4 35. Defendants' amusement park is a business establishment within the
5 meaning of the Unruh Act.

6 36. By virtue of the acts and omissions alleged herein, Defendants have
7 violated the Unruh Act.

8 37. Mr. Saurin is entitled to declaratory and injunctive relief, as well as up
9 to three times his actual damages, but no less than \$4,000 per violation, and his
10 reasonable attorneys' fees and costs. Cal. Civ. Code § 52(a).

11 **THIRD CLAIM FOR RELIEF**
12 **BLIND AND DISABLED PERSONS ACT**
13 **California Civil Code § 54 *et seq.***
14 **By Plaintiff Against All Defendants**

15 38. Plaintiff re-alleges and incorporates by reference all previous
16 paragraphs.

17 39. The Blind and Disabled Persons Act ("Disabled Persons Act")
18 provides that people with disabilities shall have "full and equal use" of public
19 facilities and other public places, and have the same right as the general public to
20 the full and free use of, *inter alia*, public buildings, public facilities, and other
21 public places. Cal. Civ. Code § 54(a).

22 40. The Disabled Persons Act further provides: "Individuals with
23 disabilities shall be entitled to full and equal access, as other members of the
24 general public, to accommodations, advantages, facilities, . . . , and privileges of
25 all . . . places of public accommodation, amusement, or resort, and other places to
26 which the general public is invited, subject only to the conditions and limitations
27 established by law, or state or federal regulation, and applicable alike to all
28 persons." Cal. Civ. Code § 54.1(a)(1).

1 41. Like the Unruh Act, the Disabled Persons Act also incorporates
2 violations of the Americans with Disabilities Act. Cal. Civ. Code § 54(c). As
3 such, Plaintiffs' first claim for relief is expressly incorporated as a violation of the
4 Disabled Persons Act.

5 42. Mr. Saurin is a person with a disability within the meaning of the
6 Disabled Persons Act.

7 43. Defendants' amusement park is a public facility and public place
8 within the meaning of the Disabled Persons Act.

9 44. By virtue of the acts and omissions alleged herein, Defendants denied,
10 interfered with admittance to, and interfered with Plaintiff's enjoyment of their
11 amusement park under California Civil Code sections 54, 54.1 and 54.2.

12 45. "Interfere" as used herein, includes, but is not limited to, failing to
13 provide equal services or auxiliary services to people with disabilities.

14 46. By virtue of the acts and omissions alleged herein, Defendants have
15 violated the Disabled Persons Act.

16 47. Mr. Saurin is entitled to a maximum of three times the amount of
17 Plaintiffs' actual damages, and in no case less than \$1,000 per violation, as well as
18 reasonable attorneys' fees and costs. Cal. Civ. Code § 54.3. Mr. Saurin does not
19 seek injunctive relief pursuant to the Disabled Persons Act.

20 **FOURTH CLAIM FOR RELIEF**
21 **UNFAIR COMPETITION ACT**

22 **California Business & Professions Code § 17200 *et seq.***
23 **By Plaintiff (Individually And On Behalf Of The General Public)**
24 **Against All Defendants**

25 48. Plaintiff re-alleges and incorporates by reference all previous
26 paragraphs.

27 49. Plaintiff brings his Unfair Competition Act claim in his individual
28 capacity and on behalf of the general public.

1 50. By engaging in the conduct described herein, Defendants have
2 committed acts of unlawful and unfair business practices within the meaning of
3 the Unfair Competition Act and Plaintiff is entitled to restitution.

4 51. Plaintiff is informed, believes, and based thereon alleges that the
5 unlawful and unfair business practices conducted by Defendants are ongoing and
6 present a threat and likelihood of continuing discrimination against Plaintiff and
7 other members of the general public who may visit Defendants' amusement park
8 on Horror Nights. Accordingly, Plaintiff seeks injunctive and declaratory relief.

9 52. Pursuant to California Code of Civil Procedure § 1021.5, Plaintiff is
10 entitled to recover from Defendants reasonable attorneys' fees and costs incurred
11 in bringing this action.

12
13 **FIFTH CLAIM FOR RELIEF**
14 **NEGLIGENCE AND NEGLIGENCE PER SE**
15 **By Plaintiff Against All Defendants**

16 53. Plaintiff re-alleges and incorporates by reference all previous
17 paragraphs.

18 54. At all relevant times, Defendants owed a duty of due care to Plaintiff.

19 55. Defendants breached their duty of due care to Plaintiff by the acts and
20 omissions alleged herein.

21 56. By their acts and omissions as alleged herein, Defendants violated
22 state and federal statutes and regulations, including but not limited to the ADA,
23 the Unruh Act, and the Disabled Persons Act.

24 57. Defendants' breach of duty and violations of law proximately caused,
25 and were a substantial factor in causing, Plaintiff's damages as alleged herein.
26 Such damages were reasonably foreseeable to Defendants.

27 58. Plaintiffs' damages resulted from an occurrence the nature of which
28 the violated statutes and regulations were designed to prevent.

 59. At all relevant times, Plaintiff has belonged to the class of persons for

1 whose protection the statutes and regulations were adopted.

2 60. By virtue of Defendants' acts and omissions as alleged herein,
3 Plaintiff is entitled to preliminary and permanent injunctive relief and an award of
4 compensatory damages, including exemplary damages, in an amount according to
5 proof.

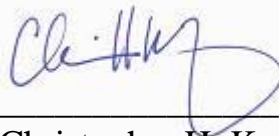
6 PRAYER FOR RELIEF

7 Plaintiffs hereby pray for judgment against Defendants according to proof
8 on all causes of action, as follows:

- 9 1. Plaintiff seeks the following:
- 10 a. For a declaration that Defendants' conduct as alleged herein
 - 11 violated the Americans with Disabilities Act, Unruh Civil Rights
 - 12 Act, Disabled Persons Act, and the Unfair Competition Act;
 - 13 b. For appropriate preliminary and permanent injunctive relief
 - 14 pursuant to the Americans with Disabilities Act, Unruh Civil
 - 15 Rights Act, and Unfair Competition Act only.
 - 16 c. Treble actual damages, pursuant to Cal. Civ. Code §§ 52.1 and
 - 17 54.3;
 - 18 d. Exemplary damages, pursuant to California Civil Code § 3294;
 - 19 e. Attorneys' fees and costs of suit, pursuant to 42 U.S.C. § 12188,
 - 20 California Civil Code §§ 52.1 and 54.3, and California Code of
 - 21 Civil Procedure § 1021.5.
 - 22 f. For other just and proper relief as the Court may order.

23 Dated: October 4, 2012

KNAUF ASSOCIATES

24 

25
26 Christopher H. Knauf
27 Attorneys for Plaintiff Christian Saurin
28

1
2 **DEMAND FOR JURY TRIAL**

3 Plaintiffs hereby request a jury trial.
4

5 Dated: October 4, 2012

KNAUF ASSOCIATES

6 
7

8 _____
9 Christopher H. Knauf
10 Attorneys for Plaintiff Christian Saurin
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Name & Address:

CHRISTOPHER H. KNAUF, Bar No. 185180
KNAUF ASSOCIATES
2001 Wilshire Blvd, Suite 510
Santa Monica, CA 90403
Tel: (310) 829-4250; Fax: (310) 622-7263

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHRISTIAN SAURIN, an individual,

CASE NUMBER

PLAINTIFF(S)

CV12-08586 (DW/SHK)

v.

UNIVERSAL CITY STUDIOS LLC, a Delaware
corporation; and Does 1-10 inclusive,

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S): UNIVERSAL CITY STUDIOS LLC, a Delaware corporation;
and Does 1-10 inclusive,
A lawsuit has been filed against you.

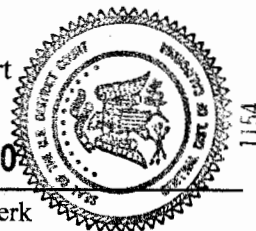
Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, CHRISTOPHER H. KNAUF, whose address is 2001 Wilshire Blvd, Suite 510, Santa Monica, CA 90403. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

OCT - 5 2012

Dated: _____

Clerk, U.S. District Court

By: JULIE PRADO
Deputy Clerk



(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

Name & Address:
CHRISTOPHER H. KNAUF, Bar No. 185180
KNAUF ASSOCIATES
2001 Wilshire Blvd, Suite 510
Santa Monica, CA 90403
Tel: (310) 829-4250; Fax: (310) 622-7263

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHRISTIAN SAURIN, an individual,

CASE NUMBER

PLAINTIFF(S)

CV12-08586 *ODN (SHX)*

v.

UNIVERSAL CITY STUDIOS LLC, a Delaware
corporation; and Does 1-10 inclusive,

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S): UNIVERSAL CITY STUDIOS LLC, a Delaware corporation;
and Does 1-10 inclusive,
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, CHRISTOPHER H. KNAUF, whose address is 2001 Wilshire Blvd, Suite 510, Santa Monica, CA 90403. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

OCT - 5 2012
Dated: _____

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) CHRISTIAN SAURIN, an individual	DEFENDANTS UNIVERSAL CITY STUDIOS LLC; DOES 1-10
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) CHRISTOPHER H. KNAUF, Bar No. 185180 2001 Wilshire Blvd, Suite 510, Santa Monica, CA 90403 Tel: (310) 829-4250	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify):	<input type="checkbox"/> 6 Multi-District Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
---	---	--	---	---	--	---

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ not specified

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 Title III of the Americans With Disabilities Act (42 U.S.C. Section 12181, et. seq.)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input checked="" type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
---	--	--	--	---	---

CV12-08586

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or

☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or

☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or

☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County (all defendants)	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____ Date Oct. 4, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Otis D. Wright II and the assigned discovery Magistrate Judge is Stephen J. Hillman.

The case number on all documents filed with the Court should read as follows:

CV12- 8586 ODW (SHx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.